

Date: Janaury 6, 2004 (Revised 1/12/04, 2/3/04)

To: Court of Appeals Judges, Director of State Courts, Staff Counsel, Clerk's Office Staff

From: Cornelia G. Clark, Clerk

Re: COURT OF APPEALS MONTHLY STATISTICAL REPORT - DECEMBER

Cumulative: January 1, 2003 through December 31, 2003

APPELLATE DISTRICT	I	II	III	IV	TOTAL
Cases Carried Over					
<u>from December 31</u>	<u>654</u>	<u>442</u>	<u>320</u>	<u>519</u>	<u>1935</u>
Civil	265	250	172	314	1001
Criminal	389	192	148	205	934
<u>Cases Filed</u>	<u>1001</u>	<u>932</u>	<u>683</u>	<u>836</u>	<u>3452</u>
Civil	454	553	383	511	1901
Criminal	547	379	300	325	1551
<u>Cases Docketed</u>	<u>1655</u>	<u>1374</u>	<u>1003</u>	<u>1355</u>	<u>5387</u>
Civil	719	803	555	825	2902
Criminal	936	571	448	530	2485
<u>Cases Reinstated</u>	<u>14</u>	<u>15</u>	<u>8</u>	<u>24</u>	<u>61</u>
Civil	9	10	7	18	44
Criminal	5	5	1	6	17
<u>Cases Terminated*</u>	<u>921</u>	<u>856</u>	<u>711</u>	<u>964</u>	<u>3452</u>
Opinion-Civil	176	182	177	225	760
Opinion-Criminal	<u>78</u>	<u>108</u>	<u>105</u>	<u>162</u>	<u>453</u>
Sub-Total	254	290	282	387	1213
Sum.Disp.-Civil	114	78	49	70	311
Sum.Disp.-Criminal	<u>280</u>	<u>152</u>	<u>162</u>	<u>169</u>	<u>763</u>
Sub-Total	394	230	211	239	1074
Memo Opinion-Civil	126	206	121	223	676
Memo Opinion-Criminal	<u>81</u>	<u>57</u>	<u>67</u>	<u>54</u>	<u>259</u>
Sub-Total	207	263	188	277	935
Other-Civil	49	59	27	48	183
Other-Criminal	<u>17</u>	<u>14</u>	<u>3</u>	<u>13</u>	<u>47</u>
Sub-Total	66	73	30	61	230
<u>Correction for Error</u>	<u>+2</u>	<u>+1</u>	<u>0</u>	<u>-1</u>	<u>+2</u>
Civil	+8	+8	+7	+4	+27
Criminal	-8	-7	-7	-5	-25
<u>CASES PENDING</u>	<u>631</u>	<u>506</u>	<u>339</u>	<u>522</u>	<u>1998</u>
CIVIL	248	276	197	322	1043
CRIMINAL	383	230	142	200	955

*Terminations are adjusted to reflect dispositions by panels assigned to cases filed in other districts and cover the "number of cases" terminated.

CASE ACTIVITY DURING MONTH OF DECEMBER:

APPELLATE DISTRICT	I	II	III	IV	TOTAL
Cases Filed	<u>113</u>	<u>76</u>	<u>49</u>	<u>81</u>	<u>319</u>
Civil	50	37	25	42	154
Criminal	63	39	24	39	165
Cases Terminated	<u>80</u>	<u>68</u>	<u>53</u>	<u>76</u>	<u>277</u>
Opinion-Civil	17	15	11	18	61
Opinion-Criminal	5	5	8	11	29
Sum.Disp.-Civil	9	4	9	9	31
Sum.Disp.-Criminal	33	14	9	18	74
Memo Opinion-Civil	8	21	11	14	54
Memo Opinion-Crim.	5	4	5	5	19
Other-Civil	2	5	0	0	7
Other-Criminal	1	0	0	1	2
Cases Reinstated	<u>1</u>	<u>1</u>	<u>3</u>	<u>5</u>	<u>10</u>
Civil	1	1	2	5	9
Criminal	0	0	1	0	1
Correction for Error	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Civil	+3	+2	+2	0	+7
Criminal	-3	-2	-2	0	-7
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Notices of Appeal Filed:	I	II	III	IV	TOTAL
One-Judge Appeals:	<u>12</u>	<u>10</u>	<u>10</u>	<u>19</u>	<u>51</u>
Civil	9	5	2	5	21
Criminal	3	5	8	14	30
Three-Judge Appeals:	<u>97</u>	<u>57</u>	<u>35</u>	<u>57</u>	<u>246</u>
Civil	37	24	19	34	114
Criminal	60	33	16	23	132
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Sup. Writs Filed:	4	6	2	2	14
Sup. Writs Terminated:	<u>2</u>	<u>14</u>	<u>3</u>	<u>3</u>	<u>22</u>
Granted	0	0	0	0	0
Denied, Dism'd, Other	2	14	3	3	22
Sup. Writs Pending:	14	10	3	18	45
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Leave to Appeal Filed:	1	3	2	4	10
Leave to Appeal Term'd:	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>10</u>
Granted	0	1	0	1	2
Denied, Dism'd, Other	1	1	3	3	8
Leave to Appeal Pending:	2	2	3	6	13

ADDITIONAL MATTERS DURING MONTH OF DECEMBER:

APPELLATE DISTRICT	I	II	III	IV	TOTAL
Motions Filed:					
Numbered Cases	110	94	58	94	356
Extensions of Time	65	57	43	47	212
Unnumbered Cases	<u>99</u>	<u>87</u>	<u>28</u>	<u>52</u>	<u>266</u>
TOTAL MOTIONS FILED	274	238	129	193	834
Motions Terminated:					
Numbered Cases	113	82	51	76	322
Extensions of Time	69	52	41	45	207
Unnumbered Cases	<u>115</u>	<u>84</u>	<u>29</u>	<u>55</u>	<u>283</u>
TOTAL MOTIONS TERM'D	297	218	121	176	812
Motions Pending:					
Numbered Cases	75	129	30	91	325
Extensions of Time	16	7	3	7	33
Unnumbered Cases	<u>31</u>	<u>14</u>	<u>5</u>	<u>12</u>	<u>62</u>
TOTAL MOTIONS PENDING	122	150	38	110	420
Opins. Circulating	28	19	9	12	68
Opins. Approved but not Released	0	3	0	0	3
	I	II	III	IV	TOTAL
Pet. for Bypass Filed	<u>3</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>6</u>
Civil	3	1	1	1	6
Criminal	0	0	0	0	0
Certifications Filed	<u>0</u>	<u>1</u>	<u>0</u>	<u>1</u>	<u>2</u>
Civil	0	0	0	1	1
Criminal	0	1	0	0	1
Pet. for Review Filed	<u>39</u>	<u>21</u>	<u>14</u>	<u>26</u>	<u>100</u>
Civil	22	6	7	16	51
Criminal	17	15	7	10	49

Status of Pending Cases as of December 31, 2003:

APPELLATE DISTRICT	I	II	III	IV	TOTAL
Awaiting Record	<u>142</u>	<u>88</u>	<u>69</u>	<u>86</u>	<u>385</u>
Civil	54	50	36	52	192
Criminal	88	38	33	34 1-4/2	193
Applt. Brief Due	<u>54</u>	<u>71</u>	<u>43</u>	<u>65</u>	<u>233</u>
Civil	30	39	26	50	145
Criminal	24	32	17	15	88
Applt. Brief Overdue	<u>3</u>	<u>1</u>	<u>2</u>	<u>1</u>	<u>7</u>
Civil	3	1	1	1	6
Criminal	0	0	1	0	1
Respt. Brief Due	<u>33</u>	<u>52</u>	<u>35</u>	<u>32</u>	<u>152</u>
Civil	9	32 1-2/4	25	16	82
Criminal	24	20	10	16	70
Respt. Brief Overdue	<u>0</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>1</u>
Civil	0	0	1	0	1
Criminal	0	0	0	0	0
Other Brief Due	<u>0</u>	<u>0</u>	<u>2</u>	<u>2</u>	<u>4</u>
Civil	0	0	2	2	4
Criminal	0	0	0	0	0
Reply Brief Due	<u>30</u>	<u>24</u>	<u>14</u>	<u>13</u>	<u>81</u>
Civil	18	16	7	7	48
Criminal	12	8	7	6	33
Cases W/Motions or Writs Pending	<u>80</u>	<u>59</u>	<u>31</u>	<u>77</u>	<u>247</u>
Civil	51	43	22	61	177
Criminal	29	16	9	16 2-4/1, 1-4/2	70
Ready for Screening	<u>100</u>	<u>80</u>	<u>34</u>	<u>57</u>	<u>271</u>
Civil	43 2-1/4, 1-1/2	44 1-2/4	26	42 1-4/3, 1-4/2	155
Criminal	57	36	8	15	116
Assigned for Oral Arg.	<u>4</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>5</u>
Civil	4	0	0	1	5
Criminal	0	0	0	0	0
Under Submission	<u>127</u>	<u>78</u>	<u>72</u>	<u>147</u>	<u>424</u>
Civil	30 2-1/4	39	37 1-3/4	84 3-4/1, 1-4/2	190
Civil/FT	0	0	6	2	8
Criminal	97 6-1/4., 6-1/3	39	29 1-3/4	61 1-4/2	226
Criminal/FT	0	0	0	0	0
No Merit & Awaiting NM	<u>54</u>	<u>46</u>	<u>29</u>	<u>33</u>	<u>162</u>
Civil	2	6	3	0	11
Criminal	52	40	26	33 9-4/2	151
HOLD Status	<u>4</u>	<u>7</u>	<u>7</u>	<u>8</u>	<u>26</u>
Civil	4	6	5	4	19
Criminal	0	1	2	4	7
TOTAL CASES PENDING	<u>631</u>	<u>506</u>	<u>339</u>	<u>522</u>	<u>1998</u>
Civil	248	276	197	322	1043
Criminal	383	230	142	200	955

Wisconsin Court of Appeals

Explanation of Termination Categories

OPINIONS

Includes three-judge and one-judge authored opinions and per curiam opinions. All per curiam opinions are assigned to a supervising judge who has the responsibility for approval of the final draft of the opinion after circulation to the panel.

SUMMARY DISPOSITIONS

Includes opinions issued in the form of a court order after the court has reviewed the briefs and record, and following a screening and decision conference(s). All dispositions in this category are assigned to a supervising judge who is responsible for approval of the final draft of the opinion after circulation to the panel.

MEMO OPINIONS

Includes opinions issued in the form of a court order prior to a screening and decision conference(s). Examples of memo opinions are: jurisdictional terminations; petitions for writs denied or granted if the order terminates the action; petitions for leave to appeal that are denied; summary disposition of unscreened cases – usually upon a motion; motions to dismiss on the merits that are granted; transfers to circuit court; any other miscellaneous termination of an appeal in which judicial time is expended and a full explication of reasoning is set forth.

OTHER

Includes miscellaneous orders terminating cases that are issued by the Clerk's Office. Examples of miscellaneous orders are: voluntary dismissals; stipulations to dismiss; failure of an appellant to submit filing fee information.

Please Note: Case filings are counted according to the district of origin and tracked through the appellate process in the filing district. Terminations, however, are counted in the district that issued the opinion. For example, a case filed in District IV, but transferred to District III, will be counted as a pending case in District IV until the opinion is issued when adjustments will be made to reflect the termination by District III. In this example, the District III termination will result in one less case pending in District IV.

Page 2 of the Monthly Statistical Report reflects how many cases terminated by a particular district are transfer cases. Page 4 of the report reflects the current status of transfer cases.